

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK  
SWEIGERT V. GOODMAN, CIVIL CASE #: 1:18-CV-08653-VEC - JUDGE VALERIE E. CAPRONI

<b>D George Sweigert</b>  <b>v.</b>  <b>Jason Goodman</b>	<b>CIVIL CASE #: 1:18-CV-08653-VEC</b>  <b>JUDGE VALERIE E. CAPRONI</b>  <b>MAGISTRATE STEWART D. AARON</b>
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**PLAINTIFF'S LETTER MOTION FOR LEAVE OF COURT**  
**TO FILE MOTION TO NAME MARCUS CONTE AS CO-DEFENDANT**

Pursuant to the conditions expressed in the ENDORSEMENT of Magistrate Judge Stewart D. Aaron (11/14/19, ECF Doc. no. 102) and Federal Rule of Civil Procedure (Fed.R.Civ.P.) Rule 14 Plaintiff MOTIONS for LEAVE to add **MARCUS CONTE** as a Co-Defendant.

Marcus Conte is no stranger to this litigation as he sent unauthorized e-mail communications to the presiding judge on 9/12/2019 (**EXHIBIT ONE**). Mr. Conte's actions were published in a YouTube video dated 9/12/2019 entitled (**EXHIBIT TWO**).

**Dave Acton Sweigert Charged With Cyber Bullying, Harassment, Perjury:  
SDNY Judge Valerie E. Caproni**

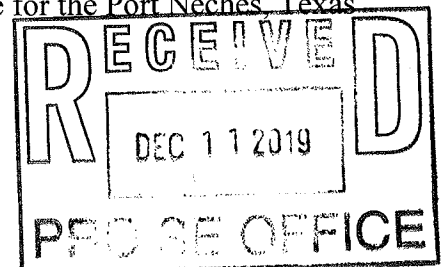
The Court was made aware of these activities in a letter received by someone in the Court building, but never docketed (verified via U.S. Priority Mail) attached as **EXHIBIT THREE**.

Mr. Conte also produces video content of his telephone calls to agents of the Federal Bureau of Investigation where he names the Plaintiff in various crimes and criminal activity. On 9/17/2019 Conte published YouTube video content entitled:

**Dealing With Cyber Bullies; Dopey Dave Acton Sweigert Under FBI Review  
[LARP NEWS]**

The above cited video (**EXHIBIT FOUR**) is a voice recording between Mr. Conte and an F.B.I. field agent at 26 Federal Plaza, 23<sup>rd</sup> Floor, New York, N.Y. 10278-00004, phone 212-384-1000.

On 11/28/2019 Conte (a convicted felon) released YouTube video content with a recording of his discussions with an F.B.I. field agent to affix blame for the Port Neches, Texas explosion upon the Plaintiff (**EXHIBIT FIVE**) in a video entitled:



UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK  
SWEIGERT V. GOODMAN, CIVIL CASE #: 1:18-CV-08653-VEC - JUDGE VALERIE E. CAPRONI

**RAW Call To FBI "Rogue YouTuber Reported to FBI for Explosion in Port Neches TX**

Video description box:

**Published on Nov 28, 2019**

**Called placed to FBI 11/27/2019 12:10 pm EST reporting D. George Sweigert / Dave David Acton 'terrorist' video**

Mr. Conte's video was then copied and re-uploaded to a YouTube channel now known as the "**Conspiracy Distillery**", a channel originally known as "**ABEL DANGER**". David Charles Hawkins (White Rock (South Surrey), British Columbia, Canada) is the co-founder of the conspiracy marketing brand "**ABEL DANGER**" and is prominently featured in the Second Amended Complaint ([SAC] ECF. Doc. no. 88). This channel has approximately 58,400 subscribers.

A few hours later, a Canadian woman (**Mishel McCumber, P.O. Box 1393, Trenton, Ontario, Canada K8V-5R9**) re-broadcast the Marcus Conte video (residing at the "**Conspiracy Distillery**") on her YouTube channel known as "**DeceptionBytes**". The video was viewed by more than **12,700 people**. This video of Ms. McCumber (**EXHIBIT SIX**) included Mr. Conte's phone call to the F.B.I. where he mentioned the Plaintiff by name – several times – and implicates the Plaintiff in a bombing attempt of Port Neches, Texas.

According to U.S. News and World Report (Nov. 29, 2019, at 10:19 a.m.)

HOUSTON (Reuters) - The fire at a petrochemical plant that prompted thousands of people to flee from four Texas communities burned for a third day on Friday with officials huddling as investigations were launched.

The fiery blast at a TPC Group facility on Port Neches, Texas, on Wednesday injured three workers, blew locked doors off their hinges and was felt in communities far from the site. The plant makes chemicals used in production of synthetic rubber, resins and an octane-boosting component of gasoline.

The actions of Mr. Conte indicate clear violations of New York law and the Plaintiff has a right of private actions against Mr. Conte for malicious prosecution as well as the identical issues raised in the SAC (No. 88).

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK  
SWEIGERT V. GOODMAN, CIVIL CASE #: 1:18-CV-08653-VEC - JUDGE VALERIE E. CAPRONI

Mr. Conte is a former member of the New York City Department of Sanitation (DSNY), employed as a Code Enforcement Officer and has received training on establishing appropriate probable cause determinations (**EXHIBIT SEVEN** – Sanitation Enforcement Agent, Badge 342, ID 1481404, Call Sign 229). His lack of demonstrating articulable “probable cause” when telephoning the F.B.I. makes him a clear candidate for a malicious prosecution private action. In New York the elements of malicious prosecution are cited in *Dawson v. Snow*, 356 Fed. Apprx. 526 (2d Cir. 2009 (quoted in relevant part):

In New York, “[t]he elements of an action for malicious prosecution are (1) the initiation of a proceeding, (2) its termination favorably to plaintiff, (3) lack of probable cause, and (4) malice.” *Colon*, 60 N.Y.2d at 82, 468 N.Y.S.2d 453, 455 N.E.2d 1248. The existence of probable cause defeats a claim of malicious prosecution. *Wasilewicz v. Village of Monroe Police Dep’t*, 3 A.D.3d 561, 771 N.Y.S.2d 170, 171 (App. Div.2d Dep’t 2004). Here, probable cause was found by a judge at a probable cause hearing.”

THEREFORE, the Plaintiff now seeks AFFIRMATIVE RELIEF from this Court for LEAVE TO FILE an appropriate MOTION to add **MARCUS CONTE**, 199 Gelston Avenue, D1, Brooklyn, New York, 11209 as a co-defendant in this instant litigation.

I hereby certify that the attached interrogatories are truthful and accurate (to the best of my knowledge) and are not submitted for the purposes of oppression of Defendant Goodman.

Signed this 29th day of November, 2019.



**D. G. SWEIGERT, C/O**  
**GENERAL DELIVERY**  
**ROUGH AND READY, CA 95975**  
**Spoliation-notice@mailbox.org**

11.27.19

**EXHIBITS ATTACHED**

I hereby swear under the penalties of perjury that the attached exhibits are true and correct copies of the originals and not sent for the oppression of the Defendant.

Signed this 29th day of November, 2019.



**D. G. SWEIGERT, C/O  
GENERAL DELIVERY  
ROUGH AND READY, CA 95975  
[Spoliation-notice@mailbox.org](mailto:Spoliation-notice@mailbox.org)**

11.29.19

# **EXHIBIT ONE**

Thursday, September 12, 2019

**Case No. 1:18-CV-08653-VEC  
Sweigert v. Goodman**

Hon. Valerie E. Caproni [Via Email and USPS First Class Mail]  
United States District Judge  
Thurgood Marshall United States Courthouse  
Courtroom: 443  
40 Foley Square  
New York, NY 10007  
Chambers Phone: (212) 805-6350 - Deputy Phone: (212) 805-6355  
CaproniNYSDChambers@nysd.uscourts.gov

***"This is a frivolous dispute between two litigants whose voluminous court filings rehash their incomprehensible and illogical online conspiracy theories." -Judge***

Dear Judge,

It is hard to imagine a more frivolous dispute between 2-crackpot online conspiracy theorist than this one. Not only is Plaintiff a documented conspiracy kook, he engages in routine online Cyber Bullying, Harassment & Perjury. My name is Marcus Conte, an independent journalist, whistleblower and YouTube personality familiar with both party's on & offline shenanigans. I am also one of plaintiff's many Cyber Bully victims. I would like to place my personal experience on the record. I live in Brooklyn NY and would be willing to come to court and give sworn testimony.

In my enclosed 1-hr public YouTube video everything I am offering here will make perfect sense. Please watch the video titled: **"Dave Acton Sweigert Charged With Cyber Bullying, Harassment & Perjury Before SDNY Judge Valerie E. Caproni 1:18-CV-08653-VEC"**  
<https://youtu.be/cWTikLjXX4>

Plaintiff Dave Sweigert is a YouTube video celebrity with a subscriber base of 17,000 viewers. However, Sweigert falsely claims he is a 'private citizen.' He is not. Sweigert is a well-known 60-year old public figure on a fishing expedition to smear his online competitors like myself, and, the Defendant Jason Goodman. Sweigert does all of this for his own personal gain. Though Goodman is far from a saint, Sweigert falsely claims he was defamed, slandered and libeled by Goodman; Sweigert claims he suffers from mental anguish, loss of reputation, damage to trade, profession and business, ridicule in the community and medical injuries to his musculoskeletal system. Nothing could be further from the truth. In fact the opposite is true - Sweigert has prospered from the situation. Sweigert is a documented narcissist who enjoys tormenting people through online video making. His allegations of defamation are so ridiculous because as you will see in the above video Mr. Sweigert knowingly & willfully attempts to inflict all of those damages on others; including this reporter.

1. Sweigert commits perjury against the Court because he is deliberately misleading the Court about his Public online presence & nefarious engagement. As a Pro Se litigant, all of his written statements thus far are his sworn testimony.

18 U.S.C. § 1001(a):

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

(1) falsifies, conceals, or covers up by any trick, scheme, or device[ , ] a material fact;  
(2) makes any materially false, fictitious, or fraudulent statement or representation; or  
(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry  
shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331),[11]  
imprisoned not more than 8 years, or both....

2. Sweigert commits Cyber bullying and repeated harassment against this Reporter as demonstrated in the video **"Dave Acton Sweigert Charged With Cyber Bullying, Harassment & Perjury Before SDNY Judge Valerie E. Caproni 1:18-CV-08653-VEC"**

#### CONCLUSION

Plaintiff is no "knight in shining armor." He is an online menace and should be barred by the court from online discourse and from further discussing this case in public. Plaintiff should also be severely fined for filing one frivolous motion after another at the expense of the People, and for making a mockery of this court - and this country.

Respectfully,

MARCUS CONTE  
199 Gelston Ave, Apt D1  
Brooklyn NY 11209  
shorthappyliife@gmail.com

CC: Jason Goodman, Dave Sweigert  
[Via Email and USPS First Class Mail to last known address]

## **EXHIBIT TWO**



## Broadcast of 9/12/2019



Dave Acton Sweigert Charged With Cyber Bullying, Harassment,  
Perjury: SDNY Judge Valerie E. Caproni



Marcus Conte

✓ Subscribed 7K

1,569 views

+ Add to ➔ Share ... More

👍 101 💬 22

**Source URL:**

**<https://www.youtube.com/watch?v=cWTikLjJXX4&t=6s>**

## **EXHIBIT THREE**

Sweigert v. Goodman, USDC for the SDNY

**D. G. SWEIGERT, C/O  
GENERAL DELIVERY  
ROUGH AND READY, CA 95975  
Spoliation-notice@mailbox.org**

**September 19, 2019**

**Jason Goodman, CEO  
Multimedia Systems Designs, Inc.  
252 7<sup>th</sup> Avenue, APT #6S  
New York, NY 10001**

**Copy provided:**

**PRO SE DIVISION, ROOM 200  
U.S. District Court  
Southern District of New York (Foley Square)  
500 Pearl Street  
New York, N.Y. 10007-1312**

**SUBJECT: Proposed criminal referral to the U.S. Attorney  
CASE #: 1:18-cv-08653-VEC, Judge Valerie E. Caproni**

**Ref: (a) 18 U.S.C. § 1503**

Dear Sir,

1. You are familiar with the following individual who has sent unsolicited communications (concerning alleged crimes of the undersigned) directly to the presiding judge of this instant case on September 12, 2019 (you and the undersigned have received copies [via e-mail cc:]):

- **Marcus Conte of Brooklyn, New York**

2. Marcus Conte has allegedly violated ref: (a) with his “*communication*” that “*endeavors to influence, obstruct, or impede, the administration of justice.*” (September 12<sup>th</sup>, 2019 e-mail message and letter to the presiding judge). Conte seems to have satisfied the “*corruptly*” requirement of ref: (a) by providing false, misleading and erroneous information in his 9/12/2019 communication. On the surface, it appears Conte is acting as a proxy agent on your behalf.

Sweigert v. Goodman, USDC for the SDNY

3. Mr. Conte's "*communication*" of 9/12/2019 has impeded the administration of justice with interference that clouds the sense of "fairness" and "justice" of this court. His disruption of the orderly procedure of this court's processes may have been orchestrated with your knowledge and is therefore "corrupt" on its face.

4. Interestingly, much of Conte's rhetoric in the 9/12/19 "*communication*" parrots the video content of your **CrowdSource The Truth** podcasts about the undersigned, to include the inclusion of alleged violations of **18 U.S.C. § 1001** by the undersigned. The use of **18 U.S.C. § 1001** is identical to those allegations which you have made in several videos concerning the undersigned. You have also distributed video content on social media that instructs parties to contact federal judges via electronic messages (e-mail) and telephone calls -- exactly as Mr. Conte has done (see attachments below).

5. As you have co-produced social media podcasts on several occasions with this person there is an obvious connection. It seems apparent that you may have ghost written the 9/12/19 communication. You have yet to deny this apparent connection.

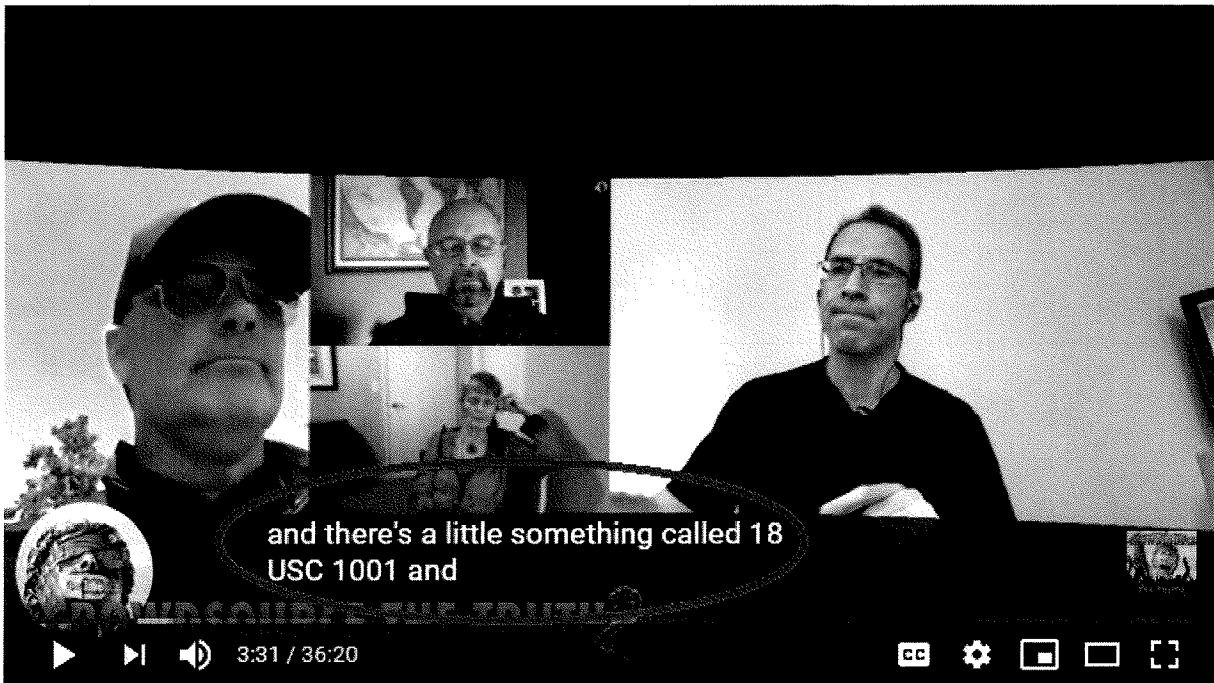
6. As a courtesy to you, I have reported this matter to the Federal Bureau of Investigation Special Agent that was apparently working the case you initiated against the undersigned (and others) in April 2018 -- S.A. Brittany Custer. The Government need only to show that Mr. Conte (and possibly yourself) had knowledge that his communication would likely result in inappropriate influence. *U.S. v. Silverman*, C.A. 11 (Fla.) 1984, 745 F.2d 1386.

Warm regards,

D. G. Sweigert

See enclosures below:

Sweigert v. Goodman, USDC for the SDNY



### The Trolls of Mount Shasta

10,527 views • Streamed live on May 4, 2018

267

122

SHARE

SAVE

...



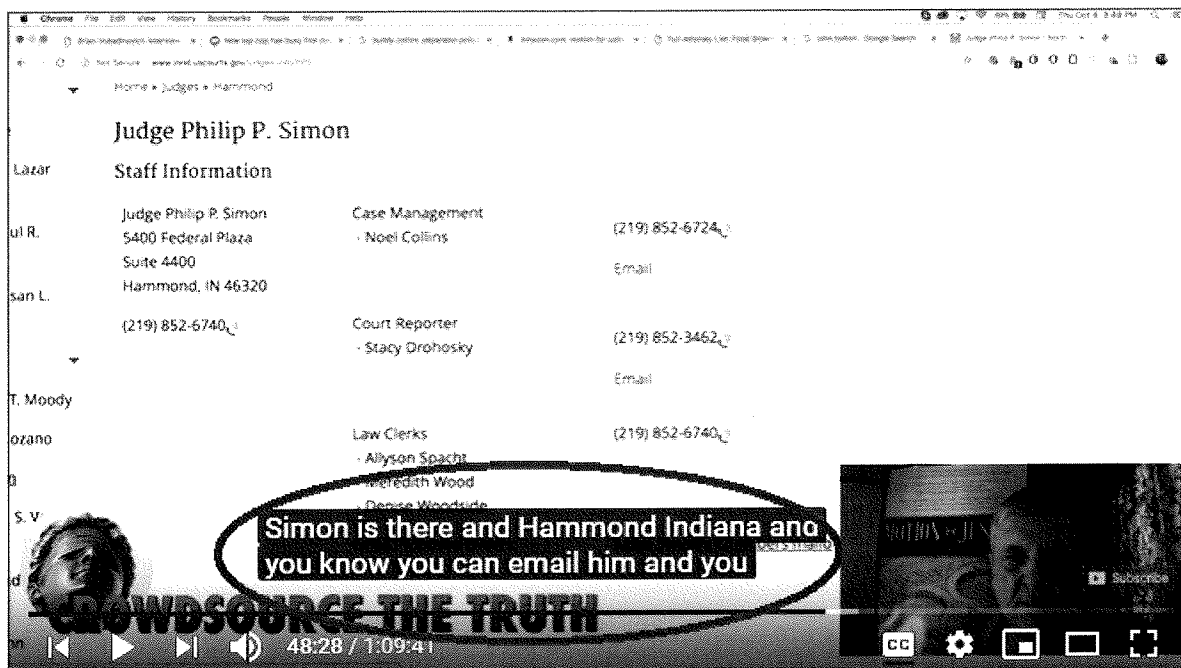
Crowdsource the Truth 2

SUBSCRIBE

ABOVE: Defendant accuses Plaintiff of violations of **18 USC § 1001**.

Marcus Conte accused Plaintiff of violations of **18 USC § 1001**.

Sweigert v. Goodman, USDC for the SDNY



Motion for Justice – Preserving Due Process with Pro Se Plaintiff Brian Vukadinovich

3,872 views • Streamed live on Oct 4, 2018

142 14 SHARE SAVE ...



Jason Goodman  
84.1K subscribers

SUBSCRIBED



ABOVE: At time mark 48.25 Defendant states, “ [federal] judge Phillip P. Simon is there in Hammond, Indiana and you know you can email him ...”



Sweigert v. Goodman, USDC for the SDNY



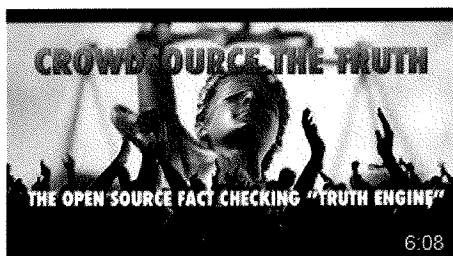
### FULL INTERVIEW: 'DSNY WhistleBlower' w/ Jason Goodman CSTT - 09/19/2017

Marcus Conte

1 year ago • 159 views

REPORTED FROM: 9/9/17 : <https://youtu.be/zD8YAZSK5kM> LIVE STREAM

INTERVIEW w/ Jason Goodman / Crowd Source The ...



### INTERVIEW: On The Court Steps w/ Jason Goodman, March 07, 2018 Conte v DSNY

Marcus Conte

1 year ago • 164 views

<https://youtu.be/WeHj9U-QtUA> Watch The LIVE STREAM INTERVIEW on the steps of the courthouse w/ Jason Goodman of Crowd ...



### LIVE STREAM Conte v DSNY Today at 2pm w/ Jason Goodman @ Crowd Source The ...

Marcus Conte

1 year ago • 161 views

LIVE STREAM Coverage TODAY w/ Jason Goodman @ Crowd Source The Truth - Watch Conte v DSNY live here: ...



### INTERVIEW: Crowd Source The Truth & latest DSNY Corruption News

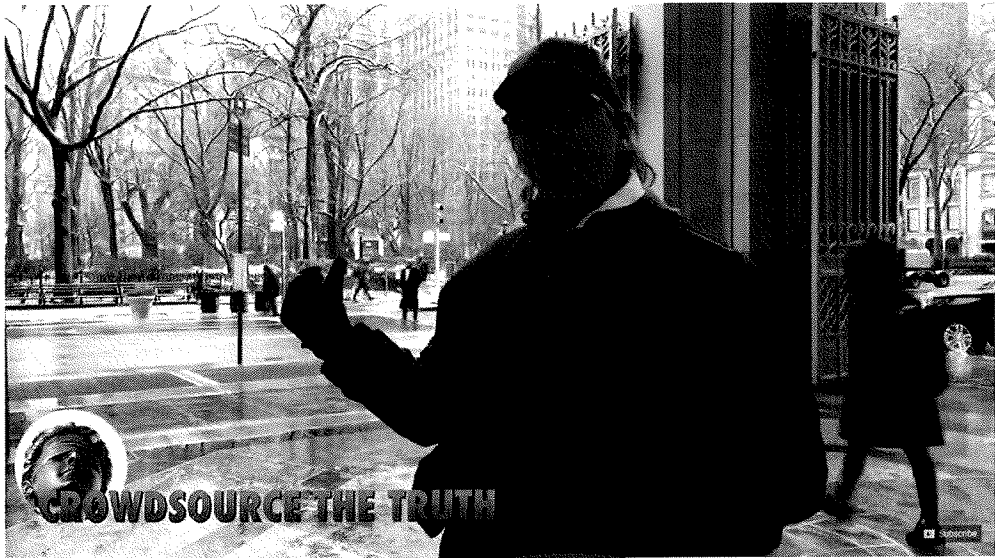
Marcus Conte

1 year ago • 541 views


My INTERVIEW with Jason Goodman of Crowd Source The Truth:

<https://youtu.be/zD8YAZSK5kM> Conte v. DSNY - Case No.

Sweigert v. Goodman, USDC for the SDNY




Taking Out The Trash – DSNY Whistleblower Marcus Conte Gets His Day In Court

 Jason Goodman  
✓ Subscribed 84.1K

7,846 views



FULL INTERVIEW: 'DSNY WhistleBlower' w/ Jason Goodman CSTT - 09/19/2017

 Marcus Conte  
✓ Subscribed 6.95K

164 views

+ Add to   ➦ Share   ... More

👍 5   🗨️ 1



# **EXHIBIT FOUR**

## Broadcast of 9/17/2019

The screenshot shows a YouTube video player with a video titled 'INTEL DROP shorthappylife@gmail.com' by 'Truth Marcus Conte Reporting'. The video player shows a progress bar at 4:41 / 14:23. The video content is a screen recording of the New York City FBI website. The website has a 'NEW YORK' header and a navigation bar with links: 'News', 'Wanted By The FBI', 'Community Outreach', and 'Recruitment'. The main content area is divided into several sections: 'Featured Story' with a headline 'FBI TEN MOST WANTED FUGITIVE EUGENE PALMER', 'Recent News' with three articles, 'Contact Us' with an address and phone number, 'Submit a Tip' with a call to action, 'Reporting Crime' with information on how to report suspicious activities, and 'Special Agents in Charge' with a list of names.

Dealing With Cyber Bullies; Dopey Dave Acton Sweigert Under FBI Review [LARP NEWS]



Marcus Conte

✓ Subscribed 7K

+ Add to ➔ Share ... More

1,091 views

66 26

Source URL:

<https://www.youtube.com/watch?v=CHYcmsFqLFo&t=347s>

## **EXHIBIT FIVE**

## Broadcast of 11/28/2019



RAW Call To FBI "Rogue YouTuber Reported to FBI for Explosion in Port Neches TX"



851 views

87 15

"Published on Nov 28, 2019

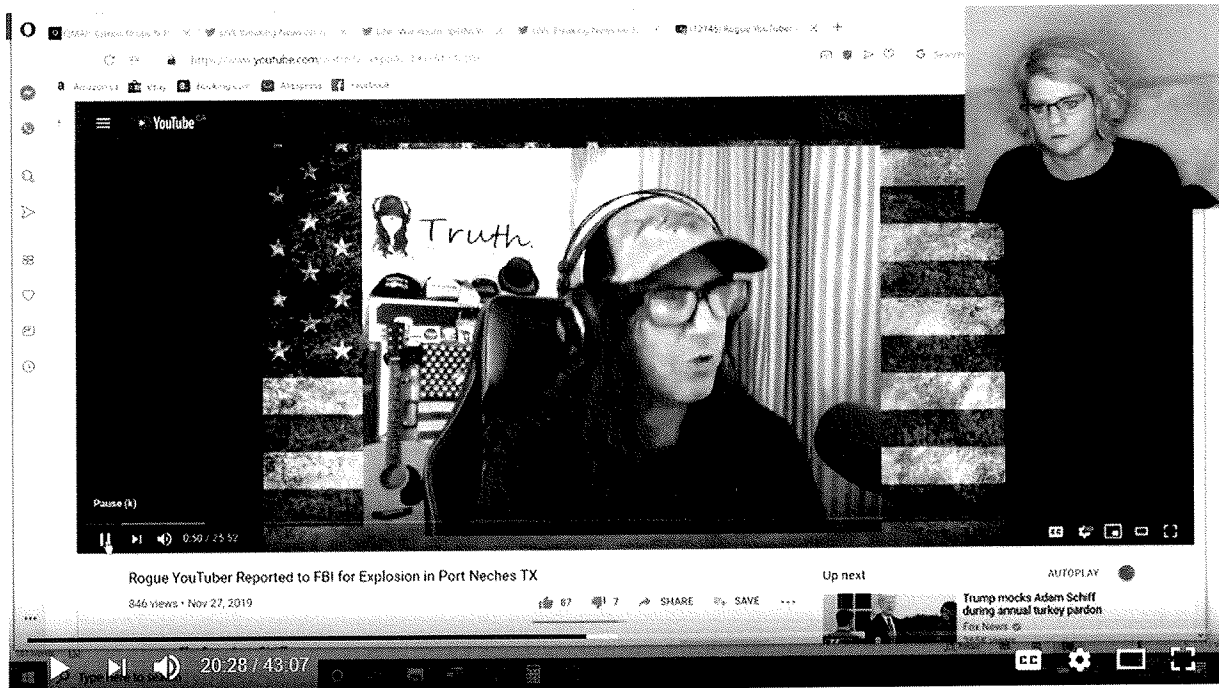
Called placed to FBI 11/27/2019 12:10 pm EST reporting D. George Sweigert / Dave David Acton 'terrorist' video"

Source URL:

<https://www.youtube.com/watch?v=NeWcOpbxQkg&t=562s>

## **EXHIBIT SIX**

## Broadcast of 11/28/2019



THERE IS SOMETHING VERY ODD ABOUT TEXAS EXPLOSION



DeceptionBytes

Subscribe 57.9K

12,735 views

+ Add to Share ... More

1,529 13

Source URL:

<https://www.youtube.com/watch?v=JmWSkjsu9gE>

# **EXHIBIT SEVEN**

**A - 0**

New York Supreme Court Index No. 101058-2016

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**New York Supreme Court**  
**Appellate Division -- First Department**

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MARC CONTE,

*Petitioner - Appellant*

- against -

CITY OF NEW YORK DEPARTMENT OF SANITATION [DSNY],

*Respondent - Respondent*

- and -

NEW YORK STATE DIVISION OF HUMAN RIGHTS [NYSDHR],

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**APPENDIX**  
**Pages [A-1-A-133]**

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Petitioner – Appellant

Marc Conte  
199 Gelston Avenue, Apt. D1  
Brooklyn NY 11209  
347-733-4780  
shorthappyliife@gmail.com

Respondent – Respondent

City of NY Department of Sanitation - DSNY Zachary W. Carter, Corporate Council 100 Church Street, RM 2-306 New York, NY 10007 212-356-0897 zcarter@law.nyc.gov, cbranch@law.nyc.gov	NY State Division of Human Rights - NYSDHR Caroline J. Downey / Aaron M. Woskoff One Fordham Plaza, 4 <sup>th</sup> Floor Bronx, NY 10458 718-741-8409 awoskoff@dhr.ny.gov, wlamot@dhr.ny.gov
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**A - 93**

THE CITY OF NEW YORK Department of Sanitation  
**EEO COMPLAINT FORM DS 1735 (7-02-10)**  
DSNY Equal Employment Opportunity Statement

**STATEMENT OF CLAIM**

CONTE, MARC, A  
BADGE 342, ID 1481404, CALL SIGN 229  
SEA [SANITATION ENFORCEMENT AGENT]  
MANHATTAN [130TH STREET PARK AVE] - 9-5PM

Thursday, July 16, 2015

Retaliation for filing discrimination claim; negative performance evaluation, denial of leave, ongoing harassment

Be advised on Tuesday, July 14, 2015 at 4:55 pm in the Manhattan zone office I was issued but denied a hard copy of a negative performance complaint filed against me by supervising agent Ms. Fleetwood (885, Gordon). The contents and a signed/dated hard copy of her evaluation (form 997) was withheld from me (improper service); this action was corroborated by a chain of command who were present at the said disciplinary event including Amasquita (881), Hampton (886) and Torrado (?). All the said supervisory agents congregated in the office at that time and witnessed / encouraged the said negative evaluation. I only reviewed this document for a few moments giving it a full read before it was whisked away by Fleetwood and her staff. In that time I witnessed content that included I somehow lied, cheated, stole, falsified, failed to follow orders, and so on. Of course I didn't sign it. The complete contents of this document are still a mystery to me. The reason, however, is open & obvious – RETALIATION.

**Background,**

The days that followed my filing a discriminatory claim against Mr. Pepe on June 25, 2015 Ms. Fleetwood was assigned as my new supervisor in which she followed my every move – basically trying to label me incompetent. From day 1 her tone & demeanor was negative, militant, confrontational, accusing – and derogatory. She addressed me as if I were a 15-year old boy with disciplinary problems. I got the worst assignments from her in the worst districts under the worst conditions – and still forced by her to produce 10 tickets. My seniority, however minimal, was completely ignored. She would pull up in her car for a “c” and begin to immediately badger me about “I expect more summons from you” despite the fact I have consistently provided management with their required 10-ticket quota. Every word out of her mouth to me was negative. All she cared about was, “How many summons’ do you have?” I kept my comments to myself.

**Her complaint,**

The jest of Fleetwood's above-mentioned complaint appeared to be an error in data entry. The allegation is I entered an incorrect code on a ‘paper summons’. I issued a paper summons that day because my handheld device failed by producing an NOV with “zero penalty.” This is yet another glitch in the never-ending list of things that can and will go wrong with your equipment. As a result of this faulty equipment, this would only be the second paper summons to date I would write. Prior to writing the paper ticket I called in the “zero penalty” problem on the radio to Hampton (886) and was told to write the paper summons and continue on. I proceeded to write & post the summons to the best of my ability. To the best of my knowledge 95% of the

**A - 106**

**Exhibit 4**

Index 130807

The allegation is false and misleading. It doesn't even make sense. I called in sick for work because I was sick, and I provided the enclosed document 8/9/15 that explained my absence. Again, as far as I was aware this was not a mandatory workday. Why would it be? I was chart the day prior 8/5/15, meaning that it was my day off, and I was not informed at all that this was a day you needed a doctors note. If this became a mandatory workday after the fact, and I needed to see a doctor I cannot read minds or possibly know facts that were NOT communicated to me.

Important to note: there are Agents and supervisors in Enforcement that go missing from work for days, weeks and months [AWOL]. No one knows where they are until one day they walk in the door and everything is ok again. Me on the other hand, it is not ok. Even if I follow the rules I am written up and fired.

8/9/2015 12:53 PM

**DOCUMENTATION**

Marc Conte, SEA  
Reference 1481404  
Badge 342  
Call 229

**RE: Request for documentation for Wednesday August 5, 2015**

To Whom It May Concern

On 8/5/15 I called-in sick for work; as per Policy & Procedure I notified the radio room more than 2-hours prior to the 7AM call time, and left my information with Mr. Garcia. According to DSNY Enforcement rules I am entitled to 7 "undocumented" sick days in a rolling 6-month period. I have not exceeded that limit, and 8/5/15 was not a mandatory workday. This letter shall represent requested documentation in its entirety.

MARC CONTE

A - 119



POLICE DEPARTMENT  
PUBLIC INQUIRY & REQUEST SECTION  
ONE POLICE PLAZA, ROOM 152A  
NEW YORK, NY 10038-1497

## GOOD CONDUCT CERTIFICATE

G07003163

DATE PROCESSED 05/17/2007	RACE W
DATE OF BIRTH [REDACTED]	SEX M
SOCIAL SECURITY NUMBER [REDACTED]	

- TO AUTHORITIES CONCERNED -

NAME CONTE, MARC  
ADDRESS [REDACTED]  
CITY STATE NEW YORK, NY 10032

EXPIRES IN 60 DAYS

## RIGHT HAND

1-RIGHT THUMB	2-R INDEX FINGER	3-R MIDDLE FINGER	4-R RING FINGER	5-R LITTLE FINGER
[REDACTED]				

## LEFT HAND

1-LEFT THUMB	2-L INDEX FINGER	3-L MIDDLE FINGER	4-L RING FINGER	5-L LITTLE FINGER
[REDACTED]				

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY	AMPUTATIONS	RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY				
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LEFT THUMB	RIGHT THUMB					
[REDACTED]	[REDACTED]					

ILLEGIBLE PRINTS \_\_\_\_\_  
SEARCH BY NAME ONLY \_\_\_\_\_  
CRIMINAL RECORD: YES ☒ NO ☐  
IF YES, # OF EVENTS \_\_\_\_\_  
EVENTS LISTED ON REVERSE SIDE: \_\_\_\_\_  
SIGNATURE APRIS  
IDS \_\_\_\_\_ DATE 5-22-07

CRIMINAL HISTORY  
SEARCH BASED SOLELY  
ON NYPD RECORDS -  
WITHIN THE ENVIRONS  
OF NEW YORK CITY  
ONLY.

YOURS VERY TRULY,  
Joseph J. Esposito  
CHIEF OF DEPARTMENT

## A - 120

<u>ARREST DATE</u>	<u>PCT</u>	<u>CHARGES</u>	<u>DISPOSITION</u>
02 02 96	090	PL 240 30 AGGR HARASSMENT 2 TELEPHONE CLASS A MISD	06 26 96 KINGS CO CRIM CRT DKT 96K016795 CONVICTED UPON PLEA OF GUILTY  ATT AGGR HARASSMENT 2 PL 240 30 CLASS B MISD  IN FULL SATISFACTION OF AGGR HARASSMENT 2 COMMUNICATE/ALARM PL 240 30 CLASS A MISD  HARASSMENT 2 PH CNTCT PL 240 26 VIOL  SENT CONDITIONAL DISCHG COMMUNITY SERVICE 3D SENT DATE 06 26 96
05 10 94	NYCTPD	PL 165 15 INT TO OBT TRANS W/O PAY CLASS A MISD	05 11 94 NY CO CRIM CRT DKT 94N033723 CONVICTED UPON PLEA OF GUILTY  INT TO OBT TRANS W/O PAY PL 165 15 CLASS A MISD  SENT CONDITIONAL DISCHG COMMUNITY SERVICE 1D SENT DATE 05 11 94
02 09 93	022	PL 220 45 POSS HYPODERMIC INSTRUMENT CLASS A MISD  PL 220 03 CPCS 7 CLASS A MISD	06 07 93 NY CO CRIM CRT DKT 93N011397 CONVICTED UPON PLEA OF GUILTY  DWAID OR > CONV W/IN 10YRS VTL 1192 CLASS U MISD  IN FULL SATISFACTION OF CPCS 7 PL 220 03 CLASS A MISD  POSS HYPODERMIC INSTRUMENT PL 220 45 CLASS A MISD  OPER MV IMPAIRED BY DRUGS I VTL 1192 CLASS U MISD

A - 121



POLICE DEPARTMENT  
PUBLIC INQUIRY & REQUEST SECTION  
ONE POLICE PLAZA ROOM 152A  
NEW YORK NEW YORK 10038 1497

G07003163  
MARC CONTE  
PAGE 2

ARREST DATE      PCT

CHARGES

DISPOSITION

12 22 84	005	PL 120 10 ASLT W/INT CAUS SER INJ W/WEAP CLASS C FEL	SENT CONDITIONAL DISCHG FINE/CUSTODY \$300/15D COMMITTED AFTER SENTENCE  11 12 93 RESENTENCED DWAI 2 OR > CONV W/IN 10YRS VTL 1192 CLASS U MISD  SENT CONDITIONAL DISCHG FINE/CUSTODY \$300/15D COMMITTED AFTER SENTENCE  07 29 85 NY CO SUP CRT IND 1270 85 CONVICTED UPON PLEA OF GUILTY
		PL 265 01 CPW 4 FARM WEAP CLASS A MISD	ASLT 2 PL 120 05 CLASS D FEL  SENT CONDITIONAL DISCHG SENT DATE 07 29 85
08 16 81	NYCTPD	PL 221 05 UNLAW POSS MARIJUANA VIOL	10 27 81 RICHMOND CO CRIM CRT DKT 1R003343 DISMISSED  UNLAW POSS MARIJUANA PL 221 05 VIOL

COURTESY \* PROFESSIONALISM \* RESPECT  
Website: <http://nyc.gov/nypd>

**A - 125**

Statement of Claim, CASE # 10176716

**New York State Division of Human Rights**  
**55 Hanson Place, Room 1084**  
**Brooklyn, NY 11217**  
718-722-2385  
718-722-2856

Wednesday, July 22, 2015

**STATEMENT OF CLAIM**  
**CASE # 10176716**

Marc Conte  
199 Gelston Avenue, D1  
Brooklyn, NY 11209  
347-733-4780  
shorthappylife@gmail.com

**Dear Division,**

I am a 51-year old WHITE male with a criminal arrest & conviction record, drug & alcohol history (disability), and I am a practicing vegan-Buddhist. I was hired by the City of New York on December 08, 2014 as a Sanitation Enforcement Agent (SEA). I do not fit-in in any way with the majority of 95% younger black & Hispanic Christian supervisors and co-workers. Despite my above average work ethic and the fact I satisfy the department's 10-ticket per day quota I have been persistently harassed, antagonized and issued false and misleading [negative] performance evaluations in an attempt to get me fired and or get me to quit. There are no other employees other than myself I can see who does his work but is so openly and obviously discriminated against for his above-mentioned differences. On June 19, 2015 I brought this complaint to Teresa H. Neal, Department of Sanitation Director of EEO (Office of Equity, Diversity & Inclusion, 137 Centre Street, Room 505, NY, NY 10013) (212) 437-4213. I filed again with her department on July 16, 2015 for retaliation. To date, nothing has been done to stop the discrimination against me. It appears these behaviors will continue against me uninterrupted, and will continue to escalate.

Enclosed please find a copy of my arrest record containing numerous drug violations, copies of 4/5 negative performance evaluations and other related documentation. I am also in possession of several sound & video recordings, as well as numerous photos upon request.

Back in December 2014 in my training class as a new Sanitation Enforcement Agent, 90% of which were black & Hispanic participants under the age of 30, the management team of Brenton Greenwood, Christine Pascall and Mr. Garnett (all black) set the racist-discriminatory tone that has followed me into the field a full 7 months later. The latter discriminatory events by latter supervisors including Mr. Pepe are a byproduct of Greenwood, Pascall and Garnett's Anti-white treatment towards me. There is no sign whatsoever of this discrimination ever ending.

I am requesting a workplace Accommodation (different work assignment outside this division) and punitive damages of \$100,000.00 [one hundred thousand dollars].

MARC CONTE